

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No: 05-CR-1849 (JH)

DANA JARVIS,

Defendant.

**ORDER STAYING PROCEEDINGS AS
TO DEFENDANT DANA JARVIS AND ORDER
VACATING MOTIONS DEADLINES AND TRIAL SETTING**

THIS MATTER having come before the Court on Defendant Dana Jarvis' *Motion for Stay Pending Appeal of Sixth Amendment Choice of Counsel and Restraint of Substitute Assets Issues* [895], and on Defendant David Reid's "*Joinder in Motion for Stay / Motion for Continuance/Additional Memorandum in Support of Vacating Trial Date*" [902], filed February 12, 2007, and the Court having held a status conference on February 13, 2007, the Court hereby:

ORDERS that, in the absence of any assertion by the United States of frivolousness, dilatoriness, or other grounds pursuant to *Stewart v. Donges*, 915 F.2d 572 (10th Cir. 1990), that this District Court case is stayed as to those aspects of the case involved the appeal filed by Dana Jarvis in the Tenth Circuit Court of Appeals, Case No. 06-2264, and will remain so until further direction of the Tenth Circuit Court of Appeals.

NOW, THEREFORE, IT IS HEREBY ORDERED that all deadlines, including motions deadlines as to motions by or joined by Defendant Dana Jarvis and all hearings on such motions are hereby **VACATED**.

IT IS FURTHER ORDERED that defendant David Reid's "*Joinder in Motion for Stay / Motion for Continuance/Additional Memorandum in Support of Vacating Trial Date*" [902], filed February 12, 2007 is GRANTED insofar as it seeks a continuance of the trial date and pretrial deadlines; hence, the April 10, 2007 trial date is **VACATED** as to all defendants.

FINALLY, IT IS ORDERED that this Court retains jurisdiction as to Defendant Dana Jarvis over matters not related to the appeal, such as ministerial functions including conditions of confinement and or detention and attorney and defense team fees and costs.



UNITED STATES DISTRICT JUDGE